



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

April 2, 2013

Joe Zurawski  
12071 Stony Creek Road  
Milan, Michigan 48160

Dear Mr. Zurawski:

The Department of State (Department) has concluded its review of the complaint you filed against Howard Braun, concerning alleged violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of your complaint.

You alleged that Mr. Braun failed to include a complete and correct paid-for-by statement on certain newspaper advertisements and that Mr. Braun failed to report expenditures for these ads on campaign finance statements filed for the Paid for by the Braun Committee to Elect John Stanowski, Brian Iott, & Dan Pichla Committee (the Committee).

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(5).

Additionally, the MCFA requires the treasurer of a committee to file complete and accurate finance statements and reports. A person who files an incomplete or inaccurate statement may be subject to a civil fine of up to \$1,000.00. MCL 169.233(10).

You filed the complaint on November 8, 2012. Mr. Braun filed an answer on December 6, 2012, and you filed a rebuttal statement on January 3, 2013.

You provided as evidence a newspaper ad which states "This can be accomplished by voting for: John Stanowski For Supervisor [,] Brian F. Iott For Trustee [, and] Dan Pichla For Trustee [.]". You alleged that this ad ran in both the Milan News and the Saline Reporter. While the ad clearly shows the signatures of Mr. Braun and his brother at the bottom, providing an imperfect disclosure of who was behind the ad, the ad did not appear to contain a complete and correct paid-for-by statement.

In response, Mr. Braun stated that the paid-for-by statement was omitted due to an error by the newspaper. Mr. Braun provided a signed letter from an account representative with Heritage Media, Brenda Leonard, which confirmed that the "omission of the paid-for-by statement in the

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newspaper ad published in the Saline Reporter and Milan News Leader, referenced by [you] in [your] complaint, was an internal newspaper production error.”

The letter additionally confirms that the Committee was charged \$720.00 for each ad. Mr. Braun provided as evidence a copy of the Committee’s pre-election general campaign finance statement, filed October 26, 2012. This statement reflects the expenditure made for these newspaper ads.

The Department believes that the evidence tends to support a conclusion that the Committee did not violate section 33 or 47 of the MCFA with regard to the newspaper ads run in the Saline Reporter and Milan News Leader. The paid-for-by statement was omitted from the newspaper ads due to an error by the newspaper, and the cost of the ads was reflected on the Committee’s pre-election general campaign finance statement. As a result, your original complaint is dismissed.

However, the Department acknowledges that you alleged an additional violation in your rebuttal statement. You alleged that the Committee exceeded the contribution limits set in MCL 169.252. The Act sets limits on contributions that may be made to local or judicial candidates. A political committee may contribute up to \$500.00 to a candidate for local or judicial office with a district population up to 85,000. MCL 169.252(1)(c). A knowing violation of section 52 is a misdemeanor offense. MCL 169.252(9).

The Department has received and is investigating a separate complaint alleging a violation of the same section of the Act. That complaint is further along in its fact-finding phase, and the Department believes that the resolution to that complaint will adequately address this allegation raised in your rebuttal statement. Therefore, this additional allegation is also dismissed, but you will receive written notice of the disposition of the other complaint.

Sincerely,



Lori A. Bourbonais

Bureau of Elections

Michigan Secretary of State

c: Howard Braun